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JUL 29 2009

OFFICE OF PETITIONS

In re Application of Mourou, et al.
Application No. 09/775,069
Filed: February 1, 2001
Attorney Docket No. 30275/939B

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: DECISION ON PETITION
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This is in response to the petition under 37 CFR 1.47, filed June 29, 2009.

The petition under 37 CFR 1.47 is **DISMISSED** as inappropriate.

A petition under 37 CFR 1.47 is only appropriate when an inventor has refused to sign or cannot be located to sign the original 37 CFR 1.63 oath or declaration. Here, the declaration was filed on June 7, 2001.

In a situation where an inventor is refusing to sign or cannot be located to sign a supplemental reissue declaration, applicant should filed a **petition under 37 CFR 1.183** to suspend the requirement under 37 CFR 1.175 that all of the inventors sign the supplemental reissue declaration.¹

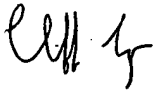
¹ "If a joint inventor refuses or cannot be found or reached to sign a supplemental oath/declaration, a supplemental oath/declaration listing all the inventors, and signed by all the available inventors may be filed provided it is accompanied by a petition under 37 CFR 1.183 along with the petition fee, requesting waiver of the signature requirement of the nonsigning inventor." MPEP 1414.01(III).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petitions
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

By FAX: (571)273-8300
 Attn: Office of Petitions

Telephone inquiries related to this decision may be directed to the undersigned at (571)272-3207.

A handwritten signature in cursive script, appearing to read 'Cliff Congo'.

Cliff Congo
Petitions Attorney
Office of Petitions